



DNREC – Solid & Hazardous Waste Management Branch

LEGAL NOTICE

Motiva Enterprises, LLC Fly Ash Pond Post-Closure Care Plan

Pursuant to 7 Del. C Section 6004, notice is hereby given by the Department of Natural Resources and Environmental Control (Department) that Motiva Enterprises, LLC has submitted a Post-Closure Care Plan for the ongoing care of the closed fly ash pond located at the Delaware City Refinery, in Delaware City. The Department has reviewed the Post-Closure Care Plan and intends to modify the existing permit, Permit SW-96/01, to incorporate these post-closure care obligations into the permit. Post-closure care includes routine maintenance and environmental monitoring of the closed fly ash pond in accordance with Section 6.11 of the Delaware *Regulations Governing Solid Waste*.

The Post-Closure Care Plan and the current permit are available for review during business hours at DNREC's Solid & Hazardous Waste Management Section office at 89 Kings Highway in Dover or at the Division of Air Quality office at 715 Grantham Lane in New Castle. The documents are also available on-line at:

<http://www.awm.delaware.gov/SHWMB/Pages/SolidWasteFacilities.aspx>. For additional information or an appointment to review the plan, please contact Nancy Marker, SHWMB, 89 Kings Highway, Dover, DE 19901, 302-739-9403, Nancy.Marker@state.de.us.

A public hearing on the above permit modification will NOT be held unless the Secretary of DNREC, in care of Nancy Marker, receives a meritorious request for a hearing by close of business on November 27, 2013, which is within fifteen (15) days from the date of this notice. A request for a hearing shall be in writing and shall state the nature of the issues to be raised at the hearing. It must also show a familiarity with the Post-Closure Care Plan and a reasoned statement of the plan's probable impact.